

ANNUAL MESSAGE
OF THE
GOVERNOR
OF THE
STATE OF NEW YORK.

TRANSMITTED TO THE LEGISLATURE JANUARY 9, 1879.

ALBANY:
THE ARGUS COMPANY, PRINTERS.
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ANNUAL MESSAGE OF THE GOVERNOR.

STATE OF NEW YORK:

EXECUTIVE CHAMBER,

ALBANY, *January 7, 1879.*

To the Legislature:

The event which first claims attention is your removal into the New Capitol. The condition of the appropriation of last year has been so far fulfilled that the Assembly chamber is substantially completed. The room intended for the Court of Appeals has been fitted up for the temporary use of the Senate, the court in the meantime occupying the old Senate chamber. All the rest of the building, except the Attorney-General's office, remains unfinished. Many millions of dollars and years of time will be required to complete it, although the sum already expended upon it amounts to \$9,276,615.36. My views in regard to the extravagant cost of the building, its ostentatious exterior and most inconvenient interior, have been frequently expressed, and they remain wholly unchanged. The subject of further appropriations for the work will be presented in another part of this message.

I sincerely hope that you will find the change conducive to your health and comfort, and in every way so agreeable and convenient that you will not regret it. If the occupation of their new and gorgeous apartments shall lead the two houses of the Legislature to

so emulate the exalted virtues which have, at different times and on many occasions, adorned the history of the old chambers, that they shall enact only wise and good laws, that they shall honestly and faithfully execute the great trust committed to them by the people, that they shall strictly obey the Constitution and the laws, that they shall establish and maintain a higher tone of public morality, the enormous cost of the building will be repaid in something better than money. But if, on the other hand, no such effects appear, if the lamentable vices, which have too often marked the legislation of the old building shall stain that of the new, if the extravagant expenditure made upon it is to stimulate profuse and wasteful appropriations to other objects, if, instead of encouraging a plain and honest republican simplicity, it is to cultivate a weak and vain desire to imitate the manners of European courts or to rival regal magnificence and imperial splendors; nay, more, if bribery and corruption, following naturally in the wake of such influences, shall soil the new chambers, the people will have cause to regret the erection of such a Capitol, and to wish that the earth might open and swallow it up.

I trust that you may be so enlightened and guided of the Divine Wisdom, that you may choose and follow the better path.

FINANCES.

You will be pleased to learn that the financial affairs of the State are in a more satisfactory condition than they have been at any time within a long series of

years. It has no longer any General Fund debt, any bounty debt, nor any floating debt. These have all been paid and extinguished. A small remnant of the canal debt alone remains to be provided for. The able and faithful management of the financial department has maintained a steady and uninterrupted advance towards lower expenditures, lower taxes and a rigid accountability for all payments from the treasury. This is strikingly illustrated by the following statement:

In 1874 the State tax was.....	\$15,727,482 08
In 1875	14,206,680 61
In 1876	8,529,174 32
In 1877	8,726,511 01
In 1878	7,941,297 94

The administration of the affairs of the canals and of the State prisons under the new systems, through single officials and responsible heads, exhibits the most satisfactory results in the same direction. No reformation in State affairs and finances was ever more thorough and complete.

But for the school tax and the enormous demands for the New Capitol the tax levy would not be more than about one-half its present amount.

The following statement gives a general account of the financial operations of the year:

Aggregate balances in the treasury of all the funds, October 1, 1877.....	\$5,759,434 22
Aggregate receipts during the fiscal year ending September 30, 1878	12,404,505 01
	\$18,163,939 23
Deduct payments during the year.....	13,870,055 69
	\$4,293,883 54

The amount of receipts into the treasury, on account of the General Fund revenue, during the year ending September 30, 1878	\$6,097,469 29
The payments.....	6,983,307 67
Apparent deficiency September 30, 1878 ...	\$885,838 38

SUPPLEMENTARY STATEMENT.

Balances due from County Treasurers September 30, 1878, on State tax of 1877.....	\$1,385,369 09
Add amount paid on account of 1878 appropriations, included in tax levy of last year, payable in State treasury in April and May, 1879	1,159,017 01
	\$2,544,386 10
Deduct apparent deficiency of the revenue September 30, 1878, as shown in preceding statement, \$885,838 38	
Also balances of 1877 appropriations, unpaid and in force September 30, 1878.....	266,643 21
	1,152,481 59
Actual surplus September 30, 1878	\$1,391,904 51

The details of the foregoing statement and of the accounts with the separate funds will be found fully and clearly stated in the Comptroller's report:

DEBT.

On the 30th September, 1877, the total Funded Debt was \$10,957,054.87, classified as follows:

General Fund.....	\$926,694 87
Canal	9,900,360 00
Bounty	130,000 00
	\$10,957,054 87

On the 30th September, 1878, the total Funded Debt was \$9,154,054.87. classified as follows :

General Fund.....	\$122,694 87
Canal	9,020,360 00
Bounty	11,000 00
	<hr/>
	\$9,154,054 87
	<hr/>

The General Fund State Debt is all paid, and the item of \$122,694.87, included above, represents the amount required to yield, at the rate of six per cent, the sum necessary to pay the Indian Annuities. The balance of \$11,000 of Bounty Debt had not been presented for redemption at the close of the fiscal year. A balance of \$1,012,328.18 in the Canal Sinking Fund, leaves the amount of that debt unprovided for, September 30, 1878, at \$8,008,031.82.

The State Debt, on the 30th September, 1877,
after deducting the unapplied balances of the
Sinking Funds, amounted to..... \$8,707,663 85
On the 30th September, 1878 (including
\$122,694.87) to..... 8,130,726 09

Showing net contributions to the Sinking
Fund of \$576,937 16

The actual reduction of the debt during the
same period, by cancellation, being..... \$1,803,000 00

TAXATION.

The tax levy for 1878 was at the rate of 2 9-10 mills and will produce \$7,941,297.94, as against \$8,726,511.01 for the previous year.

The State receives very little revenue for the payment of its expenses from any source except direct taxation. The mode of levying and the time of paying the taxes make it important that the Legislature should give special attention to the nature of the balance found in the General Fund, at the close of the fiscal year, on the 30th of September. The report of the Comptroller submitted to the Legislature, on the first of January last, showed that there was a balance, on the 30th of September, 1877, amounting to \$1,104,465.21, and that there would be an estimated balance of \$1,754,565.01 on the 30th of September, 1878. His report, prepared for submission to the Legislature at its present session, shows that there was a balance on the thirtieth of September last, of \$2,191,904.51, exceeding the estimate by \$437,339.50. The Legislature having directed the payment of the New Capitol appropriation out of this balance, the payments to the New Capitol Commissioners up to September thirtieth, amounting to \$800,000, should be deducted from this apparent balance. This deduction leaves an actual balance on the thirtieth of September last, of \$1,391,904.51. The same report shows that there will be an estimated balance, on the thirtieth of September next, amounting to \$1,073,896.83. But the taxes levied to cover the appropriations for the fiscal year commencing on the first of October are not actually paid into the Treasury until the next April. This is the case in each year. It will be seen, therefore, that these balances which are unappropriated on the thirtieth of September, become appropri-

ated the very next day by the general appropriation act passed for the fiscal year commencing on the first of October, and that they are the only means which the State has, without borrowing from other funds, to carry on the government for the space of six months, that is, until the receipt of the taxes in the next April. It will thus be seen that any appropriation like the one made for the New Capitol in the last Supply bill, out of an unappropriated balance in the Treasury, is based on a delusion. There is no unappropriated balance on and after the first of October. On the contrary, there is and must be a deficiency in each year, to be met by borrowing from other funds in anticipation of the taxes which will be received six months after the payments commence. It would be more consistent if the taxes could be made payable on the first of October, at the time when the payments on account of them commence, or if they could be divided and one-half paid on the first of October, and the other half on the first of the following April. The present practice, however, has prevailed so long and the operations of the Treasury have become so accustomed to it, that it is not likely that any change in that respect will be made, but it will be seen from the foregoing statement that an appropriation out of an unappropriated balance in the Treasury is liable to mislead, and that such phraseology should be avoided. Above all let it never be forgotten that every appropriation of any considerable amount must be provided for either by a special tax, or else by an increase to the amount of it in the general tax levy.

CANALS.

The Legislature will be gratified to learn that the new system of canal administration has fully met the most sanguine expectations of its friends. The efficiency, economy and integrity of one responsible executive head have been amply illustrated in the first year of the experiment. The Superintendent of Public Works entered upon the duties of his office on the 8th day of February last. By his prompt and energetic exertions, favored by a mild spring, he was able to open the principal canals on the 15th day of April and kept them open until the 7th day of December. During the whole period of navigation, the canals have been kept in excellent order and the boatmen have had a very prosperous season. The total tonnage for the whole season of navigation amounted to 5,170,822 tons against 4,955,963 tons for the year 1877, showing an increase of 214,859 tons. At the same time there has been a large reduction in the cost of maintenance and operation.

The entire expenses of operating the canals for the fiscal year ending September 30, 1877, as reported by the Auditor, including salaries of officials and miscellaneous expenses chargeable to the revenue of the canals, amounted to	\$1,050,329 68
The corresponding items for the fiscal year ending September 30th, 1878, aggregate but	739,748 97
Showing a decrease of.....	\$310,580 71

This saving is the more gratifying since, as above stated, the canals were not transferred from the Commissioners to the Superintendent until February eighth

last, and the new system had, therefore, been in operation less than eight months at the close of the fiscal year. It is but fair to add, that while the expenses have thus been decreased more than thirty per cent, the canals have been kept in excellent condition, and have been open to navigation 237 days during the season of 1878, against 214 in 1877, and 211 in 1876.

The net revenue for the fiscal year ending September 30th, 1878, was.....	\$248,902 38
Net revenue for the fiscal year ending September 30, 1877.....	3,031 33
Showing an increase of	\$245,871 05

These results have been obtained whilst the Superintendent was obliged to contend with all the embarrassments incident to the inauguration of a new system, as well as the hostility of many individuals and interests wedded to the old system because of the profits they had derived from its abuses. Now that the system is fully organized and has given such evidence of its value as to command the approbation of all good men, there is no reason to doubt that another season of navigation will show still more gratifying results.

The following brief statement shows what has been achieved since the reformation of gross abuses in canal management was undertaken in 1875.

AMOUNTS EXPENDED FOR COLLECTION, ORDINARY REPAIRS AND OTHER EXPENSES PAYABLE FROM REVENUES.

1874	\$1,469,466 83
1875	1,467,315 95
1876	1,149,194 61
1877	1,050,329 68
1878	739,748 97

FOR EXTRAORDINARY REPAIRS, IMPROVEMENTS, DAMAGES, AND INTEREST THEREON, PAID FROM PROCEEDS OF TAXES.

1874	\$2,373,425 92
1875	1,284,222 77
1876	510,650 18
1877	267,812 80
1878	163,598 05

TOTAL PAYMENTS ON ACCOUNT OF CANALS, EXCLUDING PRINCIPAL AND INTEREST, CANAL DEBT.

1874	\$3,842,892 75
1875	2,751,538 72
1876	1,659,844 79
1877	1,318,142 48
1878	903,347 02

These figures are more eloquent than words and may be safely left to speak for themselves. No honest and intelligent mind can require any comment upon them, or desire any return to the old and corrupt methods. Along with the results thus achieved, the tolls have been reduced to a point lower than ever before known, and a great many articles have been placed upon the free list. Although, in my opinion,

the requirements of the Constitution render it probably dangerous to attempt further reduction of tolls, it is matter for congratulation that they have been brought to so low a point that all the advantages of free canals are substantially attained without the injustice of taxing the people for their maintenance.

STATE PRISONS.

You will learn from the report of the Superintendent of State Prisons that the reforms established in that department have been going on most successfully during the past year. The excess of expenses over earnings in 1876 was \$704,379.85. In 1877, when only a portion of the year was under the management of the Superintendent, the excess of expenses over the earnings was \$369,688.08. In 1878 the excess of expenses over earnings was \$229,971.83.

In this amount, however, are included some large special appropriations for permanent improvements to the prisons, including a railroad from Dannemora to Lake Champlain, and a permanent wall and iron fence at Sing Sing. The Superintendent's report shows that, excluding these and some other special appropriations, the excess of expenditures for the support and maintenance of the prisoners over earnings amounts to but \$67,800.45.

The prison at Sing Sing, which was in the worst condition when the Superintendent took charge of it, now not only supports itself but pays a revenue toward the support of the other prisons. The following is

the statement of results for the fiscal year, furnished to me by the Superintendent:

Auburn, excess of expenditures	\$34,179 24
Clinton, excess of expenditures.....	77,027 64

	\$111,206 88
Sing Sing, excess of earnings	43,406 43

Total amount of expenditures over earnings, exclusive of special appropriations for wall, railroad, new shops, etc	\$67,800 45

It will be seen from these figures that the large deficiency of 1876 is already substantially overcome, and it is believed that it will fully disappear during the current fiscal year. Besides these welcome results, the prisoners have been led into habits of industry and made to suffer that portion of the penalty of the law which consists of hard labor. With these habits have come order, discipline and encouragement to lead better lives when they have suffered the punishment to which they are condemned.

The prisons are greatly overcrowded. There are in round numbers at Sing Sing one thousand six hundred, at Auburn one thousand two hundred, and at Dannemora six hundred. In addition to these, there are about eight hundred State prisoners in the various penitentiaries authorized to receive them. The cost of the support of those confined in the penitentiaries is paid from the State Treasury, but the prisoners are not under the supervision of the Superintendent of Prisons. The subject of erecting a new prison has been somewhat agitated. It is, in the opinion of the Superintendent,

the most economical and advisable plan, now that a railroad has been built from Plattsburgh to Dannemora, to enlarge Clinton Prison to at least double its present capacity. This could probably be accomplished for one-tenth of the expense of locating and building a new prison, and without embarrassing delay. I concur in this suggestion as the most prompt, simple and economical solution of the problem.

ASYLUMS FOR THE INSANE.

It seems impossible to meet fully all the calls for the care of the insane. The unnatural excitement in all branches of business which prevailed during many years, and the severe losses and disappointments which resulted from the general collapse, added to the usual causes of mental disorders, have increased immensely the number of sufferers from nervous and brain diseases. The State has made very large expenditures to meet the demands thus made upon it. In addition to the State Asylum, at Utica, built many years ago, it has erected, within the past few years, the Willard Asylum, at Ovid, the Hudson River State Hospital, at Poughkeepsie, the Homœopathic Asylum for the Insane, at Middletown, and the Buffalo Asylum, making in all five large institutions. In addition to these there are many private and local establishments, but almost every asylum, whether public or private, is filled with patients within a very short time after it is ready to receive them.

The amounts expended for construction upon the

various asylums up to the thirtieth of September last were as follows :

Utica	\$1,437,559	31
Willard	1,513,664	97
Poughkeepsie.....	1,697,665	88
Buffalo.....	1,096,352	91
Middletown	629,030	41
 Total	 \$6,374,273	 48
	=====	=====

From the Secretary of the State Board of Charities I have received the following statement of the number and condition of the insane of this State in the various public institutions, November 30, 1878, based upon returns to the Board by the respective officers of such institutions :

1. In the State asylums for the acute insane :

In the State Lunatic Asylum at Utica.....	607	
In the Hudson River State Hospital	232	
In the State Homœopathic Asylum	146	
 Total.....	 985	
	=====	=====

2. In asylums that provide for both acute and chronic insane, under special acts :

In the New York city asylums.....	2,658	
In the Kings County Asylum	982	
In the Monroe County Asylum	182	
 Total	 3,822	
	=====	=====

3. In institutions for the chronic insane :

In the Willard Asylum	1,395	
In the county poor-houses and county asylums.....	1,903	
 Total	 3,298	
	=====	=====

The total number of insane persons in our institutions, public and private, November 30th, 1878, was	8,771
Total number, November 30, 1877.....	7,921
Showing an increase of.....	850
	=====

Of the chronic insane in county poor-houses and county asylums, 1,054 are in counties exempt from the operation of the Willard Asylum act, under chapter 713 of the Laws of 1871. This leaves 849 chronic insane in poor-houses still to be provided for by the State. The returns show an increase of 179 chronic insane in the various poor-houses of the State during the past year. The Willard Asylum also shows an increase of 130 in the same period. Most of these chronic insane are held in counties which thus far have failed to make adequate provision for them in expectation that the State would extend its accommodations in accordance with the act of 1865, creating the Willard Asylum and requiring them to send this class of insane to it. That institution being now filled to its capacity, the authorities of these counties generally, are much embarrassed in consequence and in some of the counties the condition of the chronic insane is truly deplorable. A part of the counties that now retain their chronic insane under the act of 1871, it is believed, would also avail themselves of State accommodations if such were provided, having been compelled, from lack of room in the Willard Asylum, to make temporary provision for them.

The Buffalo Asylum is not yet in use. An appropriation of \$175,000 was made at the last session to finish and furnish it during the year. I am advised

that without any further appropriation it will be completed and ready for the reception of patients before the close of the present year.

It has been necessary, owing to decay and injuries from long use, to entirely rebuild the interior of the Utica Asylum. To avoid the necessity of suspending its operation small sections of the buildings have been successively repaired without disturbing the patients in the remainder. This work has been completed in a very substantial and satisfactory manner and no further appropriations for it are needed. In those asylums where patients are now under treatment they are receiving all the benefits which modern science can give them. All the new buildings were commenced during the insane times when it was considered meritorious to spend the people's money in the most reckless and prodigal manner, and the cost has been much larger than it should have been. It is too late to remedy that evil but not too late to guard against its repetition.

Personal visits to the Willard Asylum and the Utica Asylum gave me a very high opinion of the excellent management in both those institutions. They are highly creditable to the State and to those entrusted with their management. The Willard Asylum is the largest, and in many respects the most important in the State. It is built in separate groups, affording every facility for classifying patients according to the peculiar phases of their insanity, and accommodates, as stated, upwards of 1,400 patients.

The apartments are all clean and in the very best order

compatible with the service for which they are used, and nothing appears to be wanting which can contribute to the convenience and comfort of the inmates of such an institution. There is a farm attached to it consisting of 776 acres, worked almost wholly by the patients, who are benefited by the labor, and the products of the farm contribute largely to their support. The support and maintenance of the patients at Willard have heretofore cost at the rate of two dollars and eighty cents (\$2.80) per week each, the payments for the same being made by the counties which send patients there instead of providing for them in the county poor-houses. The superintendent exhibited to me the accounts of the institution, which showed a balance of cash on hand amounting to about \$35,000. This surplus had arisen from the reduction in the cost of living, and showed that \$2.80 per week was more than was actually required. The rate has since been reduced to \$2.60 per week, thus relieving the counties to that extent. There is no charge upon the State for maintenance.

COUNTY JAILS AND POOR-HOUSES.

Many complaints have been made to me through the Prison Association and the Board of State Charities, of the wretched condition and bad management of most of the county jails and poor-houses. I am very apprehensive that most of these complaints are well founded. The jails are represented as nurseries of crime, and the poor-houses as models of inhumanity, especially in their departments for insane paupers. I am not prepared to make any specific recommendations for

the prevention of the evils complained of. It is probable that the reports of the Board of State Charities and the Prison Association, may bring the subject to your attention in some practical form. In any event, you are, yourselves, undoubtedly acquainted with the condition of these institutions in your respective counties, and I can safely leave the matter to your own information and good judgment, earnestly urging you to omit no efforts to remedy the evils complained of whenever you learn of their existence.

In connection with this subject and that of the case of the chronic insane, it has been suggested that insane convicts confined in the asylum at the Auburn prison, at the expiration of their sentences, instead of being returned to the counties from which they were sent to prison, should be retained in the asylum where they are, at the expense of the counties to which they belong. This would, so far, provide for one class of the insane now confined in the county-houses or in the Willard Asylum.

THE INEBRIATE ASYLUM.

From conversation with several of the leading managers of the New York State Inebriate Asylum, I learn that they consider the experiment for the reformation of inebriates, as hitherto tried in the asylum at Binghamton, a complete failure. I have long been of the same opinion. The law does not, and perhaps cannot, properly provide for the forcible arrest, detention and control of inebriates. Consequently, there are no patients at the asylum, except such as consent to go there voluntarily. There is no power to restrain

them of their liberty, and the institution has become practically nothing more than a hotel for the entertainment of wealthy inebriates who remain there so long as they find it pleasant and agreeable, and when it ceases so to be they leave it without any thing approaching a permanent removal of their appetite for intoxicating drinks. The institution must, therefore, be regarded as having wholly failed to accomplish the laudable purposes for which it was undertaken, and to realize the high hopes on the part of the public, for its success. I recommend that no further appropriations be made towards its support, for its original purpose. The building is a spacious and convenient one, with a large farm attached to it, and it may, without much expense, be changed into a very commodious asylum for the insane who are now confined in county poor-houses, and generally not well cared for, and for whom there is not sufficient room at the Willard Asylum. I understand that the Board of State Charities approve of this disposition of the building. I commend the subject to your careful consideration.

SOLDIERS' AND SAILORS' HOME.

Some years ago an enterprise was undertaken by an association, for the purpose of establishing a home for soldiers and sailors disabled in the late war, and incapable of supporting themselves. The persons proposed to be provided for in this way are, of course, pensioners of the general government, but the small amounts received by them in the form of pensions were, in many instances, insufficient for their sup-

port. The effort to relieve them was a laudable and worthy charity. The association which undertook the work found themselves, however, unable to go on with it by means of voluntary subscriptions. At the last session of the Legislature an act was passed authorizing the transfer by the association, to the State, of the partially erected building and the real estate connected with it, in the village of Bath, in Steuben county. The act provided for the organization of a board of trustees, and for the payment of the debts of the association and the completion of the building. For all purposes, including a small amount for maintenance, an appropriation, amounting in the aggregate to \$82,316, was made. The board of trustees, appointed under the act, have proceeded in accordance with it promptly and successfully, and the building is completed, and nearly, or quite, ready for the reception of the class of persons for whom it is intended. I am not advised as to whether any, or what, further appropriation will be required.

THE NEW CAPITOL.

An important question to be disposed of by the Legislature is whether further appropriations for the building of the New Capitol shall be made at the present session. The only necessity for rapid progress hitherto urged, has been the inconvenient and insufficient accommodation of the Senate and Assembly in the old building. Ample provisions have now been made at a vast expense to overcome the difficulty complained of. All the important State offices are more conveniently and

comfortably situated where they are than they ever can be in the New Capitol. The amount which has already been expended is \$9,276,615.36, and of this sum \$4,300,000, have been drawn from the taxpayers during the period of financial disaster and distress which commenced in 1873 and still continues. The question then arises whether the tax-payers ought not to be allowed some respite, and in considering this question account should be taken of the widespread dissatisfaction and sense of wrong felt by the people of the whole State at the deception practiced upon them, and the violations of law committed almost at the outset of the enterprise. In 1867 an act was passed by the Legislature, being chapter 485, of which the first section is as follows: "The sum of two hundred and fifty thousand dollars is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, toward the erection of a New Capitol, authorized by chapter six hundred and forty-eight of the Laws of eighteen hundred and sixty-five, and the necessary expenses attending the same. But no part of the amount hereby appropriated shall be expended, nor shall the Capitol Commissioners incur any expense on account of the said Capitol, until a plan of the Capitol shall be adopted and approved by them, and approved by the Governor, not to cost more than four millions of dollars when completed."

In 1868 the Legislature emphatically reiterated the condition of the year before. Chapter 830 of the Laws of that year appropriated two hundred and fifty thousand dollars for the New Capitol, created a new Board of Com-

missioners and further contained the following explicit language: "The said Commissioners shall review the plans which have been adopted for the New Capitol, and may change and modify the same, or adopt others in their place, as they may deem advisable and proper; provided, however, that they shall not proceed to the construction of the said New Capitol unless they shall be satisfied that the expense thereof shall not exceed, when completed, the sum of four millions of dollars."

Thus, in two successive years, the people of the State were assured that the New Capitol should not cost them to exceed four millions of dollars, and it was made a condition precedent that the Commissioners should not proceed with the work except upon such plans and specifications as would insure its completion within that sum. These acts have never been repealed or modified. They were at once violated and, in effect, nullified for all time by the deliberate adoption of a plan under which the building could not possibly be completed for four times the amount fixed as its maximum cost, and the work has gone on until over nine millions of dollars have been expended instead of four millions, and there is no reason to expect that the building can now be completed on the scale and in the style in which it has hitherto been carried on at a less total cost than five times the four millions to which it was originally limited. About three years ago a partial change of plan was made, under the representation that it would reduce the cost, but it had little effect. It was too late. The evil lay in the illegal plan above referred to, and could not be removed without taking down the building to its foundation.

The entire eastern, western, southern and part of the northern fronts are neither enclosed or roofed. These portions of the building have long remained in this condition, without harm, and I know of no injury or inconvenience likely to result from their remaining so as long as may be desired. I recommend, therefore, that the Legislature should carefully consider: first, whether any appropriation shall be made at this session; second, whether, in the further progress of the work, a simpler, cheaper, and less ambitious style of finish ought not to be adopted. In view of the pledges and conditions of the statutes cited, that the building should not cost over four millions ; in view of the fact that near ten millions have already been spent upon it, the certainty that its completion in the present florid style must cost from eight to ten millions more, and the equal certainty that when completed its accommodations for every department to be moved into it will be far inferior to those now enjoyed, is it not wise, for a short time, to take account of the scanty progress which has been made, and the enormous amount it has cost to make it, to scan the method of this vast outlay before further appropriations be made? No doubt exists in the mind of any intelligent citizen that a State Capitol, far more becoming in exterior design and internal finish than the present one and far superior to it in convenience could have been, or can now be, built at a cost within the limit of the four millions originally intended, and for half the money yet required to complete the present building on the proposed plan. It now, however, only remains, by

frugal management, to secure the best possible use of every dollar given to it. If we concede the artistic merit claimed for the present design, it yet seems to me that in times like these the food and raiment of our people are more to them than the development of schools of art. A million dollar tax cuts deep into the shrunken resources of the people. They are ill able to pay it. Nothing can justify its levy but stern necessity. That necessity no longer exists. They are staggering under a vast load of local debt and taxation, and every dollar taken by the State lessens their power to endure these local demands. In the light of all these circumstances and the unwelcome fact that the care of this mammoth building, when completed, will annually cost a fabulous sum, I urge that all appropriations be stopped for the present, that the Legislature inform itself thoroughly as to the style and cost of the work, to the end that before voting any more millions it may be understood for what end they are expended, and whether the completion of the building cannot be secured in some less extravagant and ostentatious style.

If, however, in the judgment of the Legislature, it seems best that some appropriation be made, I recommend that it be limited to a small amount, and not made until such an examination, as I have already suggested, enables you to make it intelligently. There is no proper legal audit of these expenditures exercised by any financial officer. The Commissioners draw in round sums for their moneys. The payments of every other department of the government are sub-

ject to a rigid audit and scrutiny by the Comptroller. I know of no reason why those for the New Capitol should not be likewise treated.

THE NATIONAL GUARD.

The National Guard at present consists of seven divisions, thirteen brigades, one regiment and twelve separate troops of cavalry, one battalion and ten separate batteries of artillery, and twenty-three regiments, six battalions and thirty-one separate companies of infantry; in all comprising thirteen hundred and twenty-three commissioned officers, and eighteen thousand eight hundred and eighty-five non-commissioned officers, musicians and privates, making an aggregate force of twenty thousand two hundred and eight. Several changes have been made by disbanding inefficient skeleton regiments and battalions with full complements of officers, but very few men. Instead of regiments and battalions where such organizations were not needed and were not full and efficient, the policy of organizing separate companies has been pursued with the best results, and I am fully satisfied that the State militia, improperly named in the law as the National Guard, was never in so good a condition for effective service as it is at present. Fortunately the peace and order of the State have been so well maintained by the civil authorities that there has been no occasion to call upon the military for any service during the year.

The manner in which the liberal appropriations made by the last Legislature for better equipping the

force for field service have been expended will be detailed in the Adjutant-General's report. It will be found upon examination to have been judicious, and to have carried out as faithfully as practicable the objects of the several appropriations.

The service to which it was necessary to call the National Guard in 1877, disclosed its lack of suitable equipments for the field. An appropriation was made in the supply bill at the last session to furnish the troops with the requisite articles. The amount was fixed with reference to expected receipts from the general government for arms and other materials. These receipts, however, were much less than were anticipated, consequently the appropriation proved insufficient to fully accomplish the purpose for which it was made. A further appropriation will therefore be necessary, but should be kept at the lowest practicable amount. The information as to the necessary amount will be furnished by the proper officers. I think it my duty to caution the Legislature against applications which are frequently made for appropriations to separate organizations. As the National Guard is now organized, appropriations should be so made as that the whole force may be treated impartially. Special favors shown to any particular company or regiment, cause at once jealousies and discord, which are injurious to good discipline.

COMMON SCHOOLS.

In my former messages I have given fully my views in regard to the proper scope and extent of the schools that should be maintained by general taxation. All my sub-

sequent observation has confirmed the opinions expressed upon this subject. To the extent of giving to every child in the State a good common school education, sufficient to enable him or her to understand and perform the duties of American citizenship, and to carry on intelligently and successfully the ordinary labors of life, the common schools are and should be objects of the deepest concern to the whole community. To the few who desire and are capable of a still higher education, and who have an ambition to shine as professional men and in the arts of literature, music, painting and poetry, the door is wide open for them to win distinction in those callings. But to levy taxes upon the people for such purposes is a species of legalized robbery and even the recipients come to know it. Their sense of justice cannot fail to condemn it, it lowers their standard of morality and helps to debauch, instead of purifying public opinion. It also breeds discontent on the part of those who are educated, or attempted to be educated, to something above that for which they are fitted. It really disqualifies them for those duties and labors to which alone they are by nature adapted, so that not only great injustice but great demoralization is the result of a system which collects money by force from one man to educate the children of another man, for callings which they can never fill. The argument sometimes advanced that this system is a benefit to the poor is an utter fallacy. The children of the poor man generally leave the schools with a common school education and go to work for themselves or their parents. Yet while the poor man's children are thus at work his little

home is taxed to give to the children of others a collegiate education. Nine in ten of those educated in the so-called high schools at the public expense, would far better pay their own bills than to have them paid by the people of the State. These views are so manifestly just that I have no doubt they will ultimately prevail. Indeed there seems to have been already a cessation of efforts to establish high schools, academies and colleges, and support them by taxation. So far as I can learn, the normal schools established in various parts of the State are, with two or three exceptions, wholly useless, and fail almost entirely to accomplish the objects for which they were established, and for which the State is annually paying large amounts of money from the Treasury. I recommend an inquiry into the working of these institutions, and a discontinuance of all those which fail to accomplish the purposes of their establishment. The following is a statement of the number and condition of the common schools, and the number of pupils instructed in them during the past year. The full particulars will be found in the annual report of the Superintendent of Public Instruction.

COMMON SCHOOL STATISTICS FOR THE YEAR ENDING
SEPTEMBER 30, 1878.

Total receipts, including balance on hand	
October 1, 1877	\$11,793,627 67
Total expenditures.....	10,626,505 69
Amount paid for teachers' wages.....	7,756,844 31
Amount paid for school-houses, repairs, furniture, etc.....	1,363,429 57
Estimated value of school-houses and sites....	<u>30,147,589 00</u>

Number of school-houses.....	11,824
Number of school districts, exclusive of cities,	11,270
Number of teachers employed for the legal term of school.....	19,948
Number of teachers employed during any portion of the year	30,567
Number of children attending public schools..	1,032,052
Number of persons attending Normal schools,	5,522
Number of children of school age in private schools.....	113,864
Number of volumes in school district libraries,	751,534
Number of persons in the State between the ages of five and twenty-one years	1,615,256

REPORTS OF CHARITABLE INSTITUTIONS.

The Board of State Charities is much embarrassed by the want of uniformity in the date to which the annual reports are made by charitable institutions aided by the State. It is very desirable, for the purpose of tabulating and comparing the expenses of these institutions, that these reports should conform to the end of the fiscal year observed by all the State officers, namely, the thirtieth of September, in each year. But some of them by the terms of their charters, others by general laws, make their reports at various dates in the course of the year, and confusion thus arises in comparing them with the reports of the State officers. At the request of the Board of State Charities, I recommend the passage of an act requiring all of the institutions referred to, to make their reports up to the thirtieth of September of the present year, and up to the same date in all succeeding years.

LOCAL DEBT AND TAXATION.

Whilst the State has paid all its debts, except about eight millions of dollars, and is rapidly reducing its expenses and taxes within reasonable bounds, most of the cities, counties and towns in the State are struggling under a load of debt, large expenses and heavy taxation. In looking over the long line of sufferers from these local burdens, it seems almost incredible that men of sense should have permitted themselves to be placed in such a condition. Of course, it never could have been done except under the influences of a false financial system, which seemed to deprive men of their reason, and of all capacity to foresee the evil which they were bringing upon themselves and their children. They played with debt, and courted taxation as if for pastime. Many towns almost buried themselves with bonds, issued for railroads which have never been built, and covered their farms with mortgages for which they have received no consideration. Now that the illusion is gone, they are deplored the misfortunes in which it has involved them. Some of them are even hinting at the dishonor of repudiation. Others are appealing for legislative interference. It seems impossible to withhold our sympathies from any of them, but it is equally impossible to discover what material aid the State can give beyond such authority, as it may be necessary to confer upon them, for making such arrangements as they may desire for the ultimate redemption of their own debts. Nothing can be done in this respect which will, in any manner, interfere with the sanctity of the contracts into which they have

entered. They should understand that these contracts must be carried out in good faith by those who made them. The State can do nothing which will, in any form, amount to an assumption of these obligations, or any part of them. The first step to be taken by the localities towards their own relief, is to stop at once and finally, the making of any addition to their present indebtedness. However great it may be, they should at once resolve not to allow it to become any larger. In the next place the cities, counties and towns should insist upon a thorough reduction of their local expenses, which, like their debts, have been swollen beyond all bounds of reason during the unreasoning times that have prevailed. Sinking funds should then be established, which, with such contributions as can be made from year to year with the least possible inconvenience, will commence the reduction of the principal of the debt and wholly extinguish it within a certain period of years. In many places where the debts are large this will seem a long and rugged path to complete relief, but it is the only one which I am able to discover or suggest. By pursuing it faithfully, the people will receive no small compensation for what they suffer in learning to reduce their own personal expenses, and in having it impressed upon them in a manner never to be forgotten, that debts, both public and private, are an unmitigated evil and should never be contracted, except under the pressure of unavoidable necessity.

NIAGARA FALLS.

The civil jurisdiction over the Falls of Niagara, as well as the shores and waters of the Niagara river, is divided between this State and the Province of Ontario, in Canada. But, in one sense, the sublime exhibition of natural power there witnessed is the property of the whole world. It is visited by tourists from all quarters of the globe, and it would seem to be incumbent upon both governments to protect such travelers from improper annoyance on either side. It is, however, well known, and a matter of universal complaint, that the most favorable points of observation around the falls are appropriated for purposes of private profit, while the shores swarm with sharpers, hucksters and peddlers, who perpetually harass all visitors. In the course of the last summer, in a casual meeting and conversation with Lord Dufferin, then Governor-General of Canada, he suggested the propriety of some steps on the part of the State of New York and the province of Ontario to remedy these abuses which he had seen and deeply regretted. His proposition was that a sort of international park should be established, enclosing a suitable space on each side of the river from which all the annoyances and vexations referred to should be excluded. Contemplating no attempt at landscape ornamenting in the vain hope of adding any thing to the natural attractions of the falls, he thought that each government might obtain control of a sufficient area to be kept sacred to the free use of those who coming there from all parts of the world, desire to view the grand scenery without molestation. He believed that

all this could be accomplished at small expense, each government of course retaining jurisdiction of its own portion of such park, but with a mutual understanding as to the general regulations to be enforced on either side. Subsequently the Governor-General called the attention of the government of Ontario to the same matter, and recommended co-operation with the State of New York in accomplishing the purpose in view. The proper course, if such a plan were deemed advisable would undoubtedly be the appointment of commissions by both governments, to confer together as to its details. Should such a commission be appointed by the authorities of Ontario, I recommend that you provide for the appointment of a similar one to consider the subject. There can be no doubt that many persons abstain from visiting the falls in consequence of the annoyances referred to, nor can there be any reasonable doubt that the removal of these objections would largely increase the number of visitors annually.

GAME LAWS.

The game and fish laws greatly need your attention. To preserve and increase our game and fish is each year becoming more important. It would be perfectly feasible with a clear and stable statute, but is utterly impossible under the confused mass of the existing laws, the comprehension and execution of which is not within human power. The delegation to the boards of supervisors of power to establish regulations on this subject within their respective counties, is now generally conceded to have been a mistake. The supervisors usually

make no regulations, and in the few cases where they have made them transgressors are, or claim to be, ignorant of their contents. Again, although the theory of the law is that the supervisors make the local game regulations, the Legislature, at every session, passes numerous acts, general in form, but in many sections aimed at local and special privileges and restrictions.

Fifteen different acts of this sort passed at the last session. Before they reached the Executive chamber I received many letters from different parties urging that when the game bills came up for action some particular bill should be last signed. The reason of this anxiety was apparent when a perusal of the bills showed that several of them amended one certain section of the existing law to read as in each bill provided, so that, if all the bills were signed, each one, as it received the Executive approval, would repeal the one approved before it, and the one last signed would, in effect, repeal all the others. No better illustration can be given of the utter neglect and confusion which characterizes legislative dealings with this subject. I recommend the repeal of that part of chapter 482 of the Laws of 1875 which gives the supervisors control of this matter, and that, in place of the present mass of incoherent legislation for the protection of game and fish, a single, plain and complete act be passed, covering the entire statutory regulation on the subject, with penalties for its violation and provisions for its enforcement.

THE CODE.

An effort will undoubtedly be made to crowd upon your action a bill adding about eighteen hundred sections to the installment of the so-called New Code, passed in 1876. This additional bill was passed in 1877 at the close of the session, and failed to receive my approval. It was again passed at the last session of the Legislature and after mature consideration I returned it without approval. Space of course is inadequate to discuss the faults of this measure here. A few of them were stated in the veto message of last year. As I should regard the enactment of this bill a great misfortune to the whole State, I recommend that you refuse to pass it, and also that you repeal the thirteen chapters already upon the statute book. The objection to them is deeper than any technical criticism, and I firmly believe that if the crude and imperfect system which these bills represent be continued and completed, the result will be disastrous to our law and ruinous to litigants.

LEGISLATIVE APPORTIONMENT.

I regret that it is necessary for the fourth time to remind the Legislature that an enumeration of the inhabitants of the State was made in 1875, and that the Constitution imperatively requires the Legislature at the first session after such enumeration, to reapportion the Senatorial and Assembly districts so that each shall contain, as nearly as may be, an equal number of inhabitants excluding aliens. The requirement that this shall be done is no more explicit than that it shall be just and equal when it is done. To make an unjust

and unequal apportionment for the accomplishment of some other purpose than that intended by the Constitution is, of course, a very great and difficult labor. It requires expert skill in wrong-doing. But to make a fair and equal apportionment calls for nothing more than common sense, an acquaintance with the plainest rules of arithmetic, and an honest disposition to do right. Yet, in each year since the census was taken, the Legislature has met, gone through its session and adjourned, without making any apportionment whatever. These facts require no comment, and I make none, except to repeat the remark made in my last message referring to this subject: "Certainly we cannot expect that the people will long continue to observe the ordinary restrictions and requirements of statute law, if their representatives who make that law utterly disregard and defy the especial mandates of the Constitution they have solemnly sworn to support."

INSURANCE AND SAVINGS BANKS.

In a State with such immense commercial, manufacturing and mechanical interests, the business of fire, life and marine insurance is of very great importance. Its magnitude led to the conclusion that the Legislature should take charge of it. For the purpose of subjecting great corporations to the control of just and general laws, this was undoubtedly proper. But for the Legislature to undertake to administer the business in all its minute details was a step of more than doubtful expediency. All experience has shown

that every legitimate branch of business is most successfully conducted when left to the management of those who understand it, with their hands as free from, and untrammelled by, legislative interference, as practicable. The assumption that intelligent business men do not know enough to manage their own affairs, and that the Legislature should undertake the task for them, is both erroneous and mischievous. Influenced by this unsound idea the Legislature, twenty years ago, established the Insurance Department. The ostensible purpose of its establishment was to protect the public, the policy and stockholders of the insurance companies. Whilst it confined itself strictly to the accomplishment of that object it did comparatively little harm and no good. Its whole history shows that the community would have fared much better without it than with it. People who wish to insure their property or their lives, if left to exercise their own discretion will be more likely to select safe and well conducted companies in which to insure, than they will if they rely upon the direction given them by an agent of the State. The intermeddling of a State official is almost invariably mischievous in its operation and results. I am informed that within the last seven years thirty life insurance companies have failed, involving a loss to citizens of this State of \$36,927,000. This shows how little protection the department gives. I am therefore of opinion, that the wisest legislation in regard to the Insurance Department, would be to abolish it, and to return its few necessary powers to the

Comptroller's office, whence they were taken. This step I advise, believing that it will benefit the parties interested, and much redound to the credit of the State.

The same general rule naturally applies to the business of banking. It may be claimed that so far as savings banks are concerned, the class of people who deposit their savings with them, require some governmental guardianship. But even this is doubtful. The host of savings banks which have grown up as if in a night, flourished for a time, and then became insolvent, could never have gained the confidence of the poor people whose little all was lost by their operations, if character and credit had not been given to them by the pretense that the State was the protector of their interests. In 1877 the Superintendent whom the State had chosen and who had served for several years as guardian of these institutions, was removed for negligence and incompetency, and almost the entire time of the very faithful and efficient deputy into whose hands the work has fallen, has been occupied in saving what he could from the ruin into which so many of the savings banks fell.

It is also a question worthy of consideration whether, if the State will not leave people and corporations to manage their own affairs in their own way, but persists in exercising a governmental control over them through such agents as it sees fit to appoint for that purpose, it ought not to be responsible to parties who suffer through the negligence or malfeasance of such agents?

I commend to your consideration such measures as will tend to a more speedy and less expensive mode of pro-

ceeding for winding up the affairs of the insurance companies and savings banks that have failed, so that parties who have suffered by them may receive, at the earliest day possible, whatever may be saved from the wrecks of such institutions.

FEDERAL INTERFERENCE AT ELECTIONS.

A significant fact in connection with our recent election is the organized attempt of the Federal authorities to interfere with the suffrage of our citizens. This seems to me a step upon dangerous ground. The scanty justification pleaded for it is that it is within the scope of Federal authority to supervise the election of Members of Congress. In the exercise of this supervision the general government pretends to find the right of passing on the qualifications of voters at the polls, and to make arbitrary arrests in the discretion of Federal supervisors, thus preventing the person arrested from voting either for Members of Congress or State officers. But the Constitution of the United States provides that the qualifications of the electors of representatives in Congress shall, in each State, be those requisite for electors of the most numerous branch of the State Legislature. The Constitution of our own State, by virtue of which you hold your official station, declares what those qualifications are. It further casts upon you the duty of enacting laws to determine by proper proofs the persons entitled to the right of suffrage thereby established. It is not fit that the Legislature of a great State should sit calmly by while its chief prerogative is torn from its grasp, nor does it become

an Executive to fail of warning words when such an usurpation is attempted, as the arrest by Federal officers of the voter at the polls. In the name of the people whose highest right is imperiled in this controversy, I protest against such an interference. I urge upon your notice the danger of permitting such proceedings to pass unrebuked. Suffrage is a people's right, and, by our organic law, its regulation is committed to the State authorities. It has never been yielded to Federal control, and a stern accountability will be put on any servant of the State who neglects to combat the dangerous precedent of Federal interference with these reserved powers of the State. Twice before has this impudent intrusion on its jurisdiction been attempted. Twice before have able and courageous State Executives made manly protest, in which the Legislature and the people have sustained them. The danger and usurpation is not less now than then. As a question of highest moment, outweighing all party interests and temporary advantage, I earnestly press it on your attention. A prompt and fearless protest on your part will stop this effort once for all. Your silent acquiescence in the wrong will certainly induce its attempted repetition.

THE CITY OF NEW YORK.

In each of my previous annual messages, and in the reasons given for disapproving several bills relating to the government of the city of New York, I have expressed the opinion that a new charter, which should establish a local Legislature for the city, and leave the

people to govern themselves there, as elsewhere, was the only practicable and complete remedy for existing evils. As yet, nothing has been done in that direction. The people there seemingly prefer to continue victims of bad legislation, rather than attempt to maintain local self-government. Great commercial enterprise and the universal struggle for wealth seem to absorb all attention and to make men wholly indifferent to the laws which are necessary, not only for the preservation of their wealth when acquired, but also for their personal safety and comfort. To this general rule there are some honorable exceptions. But how much more suffering will be endured before the rule be changed, it is impossible to foresee. The great debt which overhangs the city, the army of useless officials and the extravagant salaries paid to them, are all due to laws which have been passed at various times by the State Legislature. Usually from one hundred to two hundred bills are introduced at each session of the Legislature relating to the government of the city. There is no reason to doubt that a large number will be presented at the present session. To what subjects they may relate, or what provisions they may contain, it is impossible to know. Whatever they may be, they should receive the closest scrutiny at your hands. If anything can be done within the limits of your constitutional power for the relief of the city from the enormous salaries and taxes which the people are called upon annually to pay, it should be, and I trust will be, done. The experience of the past has shown, however, that many bills originated ostensibly for such a purpose are so changed and manipulated on their passage

through the Legislature by experts and men of skill, who interweave the worst provisions along with the best, that it is necessary to exercise great care and vigilance in regard to them. There is no need of expert and extraordinary skill in the preparation of an honest bill for an honest purpose. The language of such a bill will be always plain, simple and easily understood. The sinister and dishonest purpose is usually concealed under a skillful arrangement of crafty phrases. It will be a wise precaution to beware of bills which are said to be skillfully drawn. I am also of opinion that bills which are of great length and involve a variety of subjects are apt to lead to bad results. Their real meaning becomes involved, their provisions are conflicting and the construction to be put upon them doubtful. A much better and safer method will be to pass only such bills as embrace a single object, and are clearly and plainly expressed. But in this, as in all other cases, it should be borne in mind that one of the worst evils of any community is a mass of unnecessary, conflicting and doubtful legislative enactments. Upon some subjects the statutes in relation to the city are already so numerous, confused and conflicting that even the courts are unable to construe them. Whatever may be done no addition should be made to this mass of confusion. There is now pending in the courts an action involving the constitutionality of the statute establishing the board of estimate and apportionment. I understand that the question will soon be brought before the court of last resort, and I trust the great important public interests involved in it will

lead to its early and thorough consideration and final decision.

HARBOR MASTERS AND PORT WARDENS.

In the interest of commerce, I renew the suggestion of my last annual message, that the offices of Harbor Masters and Port Wardens should be abolished, and their duties devolved upon the police. A few policemen specially charged with these duties would be sufficient, and would relieve the commerce of the port from the heavy expenses now imposed for the services of a large array of Harbor Masters and Port Wardens.

COMMISSIONERS OF EMIGRATION.

I learn from the Commissioners of Emigration that the number of emigrants arriving at the port of New York, from the first of January last to the twenty-fourth of December last was 121,288. The Commissioners further refer to their needs, and also to the bill introduced at the last session of Congress, and now pending before that body, for relief from the effects of the decision of the Supreme Court of the United States in regard to the emigration laws of this State. The communication of the Commissioners will be transmitted to the Legislature for its information and for such action as may be deemed proper.

EXCISE LAWS.

Again, as in my last annual message, I advise that you devote careful attention to the condition of our excise laws. No branch of our law needs to be so simple, concise and intelligible as this. Excise administra-

tion, especially in the city of New York, is now marked by continual broils and entanglements. The law is transgressed as often from ignorance as from design. Punishment is oftener inflicted for its accidental than intentional violation. Continual appeals are made to the Executive to relieve the errors of its working. These clumsy complications are unworthy an intelligent people. It is true that the subject of excise law presents a great social problem, but it is also true that a sensible and practical solution of it may be reached if its discussion be approached in an impartial and unprejudiced spirit. I commend the whole matter to your reflection as one of the most important likely to be brought before you, and suggest that you substitute a clear, symmetric and complete statute for the present laws on the subject.

RESUMPTION.

On the first day of the present year the Federal Treasury announced its readiness to pay the legal tender notes on demand in coin. There is no reason to doubt its ability to meet all demands that will be made. This brings us back, practically, to the money of the Constitution and relieves us from further suffering by reason of a currency of fluctuating value. On the same day a law of this State went into effect which provides that after the first of this month all taxes shall be collected in coin and all private contracts shall be enforced in coin. This restoration of our currency to which we have been looking forward for many years, is an event over which the country will be wise to rejoice. Since

the issue of the legal tender notes, until now irredeemable, we have gone through first, the madness of a false prosperity, under the stimulus of a debased currency; and then, more recently, the depression and distress which was sure to follow. The distress is not yet at an end, but there are signs that the process of cure has been begun and will go steadily on. Economy in the expenditure of the people's money by their public agents, and frugality in private life, will, with the abundant production of our country, repair, by degrees, our recent waste. The readjustment of labor rendered necessary by overaction in some directions, is the most painful part of the remedial process to which Nature subjects us for our disregard of her laws; and this, unhappily, falls on a class of persons which had originally, the least responsibility for the violation of correct economic policy and of honest principle involved in our issue of irredeemable paper money. There is also great distress among many who, having earned a small amount of capital devoted their savings to the purchase of homes, incurring debt for part of the cost at a time when property was at a false valuation. I sympathize with those who suffer from these causes, and would be glad if there were any unusual means of immediate relief. Government action cannot supply any. Relief can be worked out only by patient industry and economy. The quack remedies that have recently been proposed are worse than useless; they would increase and prolong the trouble. Were I, in my present position, to give them any sanction, I should be guilty of a violation of duty equal to that

of a physician who should prescribe deadly poison to cure disease.

I have great confidence that, although improvement in our condition must be slow, we have entered upon a period of steadily increasing prosperity. To avoid some inconveniences, it may be necessary to so amend the State law above referred to as to make United States treasury notes and national bank notes convertible into gold coin at par receivable in payment of tolls and taxes. I commend the subject to your attention.

UNEMPLOYED LABOR — REVIVAL OF BUSINESS.

The evils which have arisen from great numbers of laborers being thrown out of employment in consequence of the depressions and disasters in most branches of business, still continue, but I am happy to believe that they are, to some extent, diminishing. That a substantial revival of business has commenced, and that, too, upon a solid foundation, there can be no reasonable doubt. The great interest which in this country underlies and supports all others is agriculture. With our immense territory, embracing every variety of soil and climate, and producing, with proper cultivation, every thing necessary for the support and comfort of the human family, there is no reason why we should ever be called upon to pass through such eras of disturbance and distress as have marked the last five years. But by the enormous inflation of the currency, the fictitious increase of prices the overtrading and overacting in all branches of

manufactures, mining, railroad building and other enterprises, men were seduced from the more quiet occupation of agriculture into employments which, in their very nature, could not endure. Out of these they were thrown when the inevitable disasters came, and hence we have had, and still have, so many unemployed laborers in the country. But the number diminishes as circumstances force a readjustment of the proper fields of labor. Our primary sources of wealth, the soil, its cultivation and its products have been yielding, to the fullest extent, their fruits during the last two years, producing a very large surplus which has been and is now being moved forward over the various channels of commerce to all parts of the world. Agricultural laborers have everywhere found full employment. The transportation of their crops, and of the goods returned in place of them, has given increased employment to the vessels upon all our lakes, rivers and canals, to the trains upon our railways, and to all the laborers employed in the business of transportation. Here is the groundwork of renewed prosperity. It is going on and can not fail to continue until legitimate business is fully revived from one end of the country to the other. All sections of the Union, north and south, east and west, are feeling alike this new and substantial business life, and all efforts to embarrass it or retard it, should be regarded and treated as hostility to the best interests of the country. At the same time there should be no misunderstanding as to what is meant by revival of business. By that phrase too many people still suppose that the excitement and wild schemes which prevailed

in years gone by, are to be renewed ; that wages are to be doubled, prices more than doubled, and that men are to make fortunes out of nothing. This is not what is meant by a revival of business. It is not business, it is madness. A restoration of it would be simply to resume the road to the inevitable downfall and disasters from which we have been so long suffering. There is no human power which can raise the dead. There is no magic by which debts can be paid without money, nor by which individuals and corporations hopelessly insolvent can be restored to credit and prosperity. The revival of business which is desirable and which is surely coming, unless the people shall again be reft of their senses, means the production of all those commodities for which our country is specially adapted, the sale and exchange of all the surplus over and above what is needed for our own consumption ; the mining, manufacturing, railroad building and commercial traffic, which are fairly demanded by these avocations and by the foreign market for them and the payment of all laborers employed in them, with honest money for honest work. As this comes on, labor will adjust itself in accordance with the demands for it, and employment in one way or another will be found for all. We shall cease to hear the cries for help. All honest men will be found able to help themselves in an honest way.

CONCLUSION.

I have thus made the particular suggestions in my power upon the condition of the State and the vast interests which now pass to your legislative care. In

the broad field of your general action your conscience and intelligence must guide you. Your first official act is a solemn oath to support the Constitution of the United States and the Constitution of the State of New York. These are the supreme law of the land which no legislator or public officer may transgress. All acts in conflict with either of them are null and void. The State Constitution is the creation of the people establishing a government for their protection and defense as citizens of a free and independent commonwealth. Strictly obeying it, you cannot go far astray. Under it the State aims to secure fair and equal representation for the people, pure elections, an honest canvass of, and a peaceful submission to, their results, to the end that the majority may control the government; equal and exact justice to all men that neither the poverty of the poor or the wealth of the rich may help or hinder the maintenance of their rights; rigid economy in public expenses, and the lightest possible exercise of the taxing power that labor may bear no needless burdens ; an honest currency assuring stability to finance and steadiness to wages ; perfect integrity and fidelity in office ; a prosecution and punishment of derelict officials as prompt and energetic as that of common criminals ; the protection of every man in his right to pursue his lawful calling in his own way, and to enjoy its fruit, and finally the sacred preservation of the public faith under all circumstances. It forbids all local and special legislation for private profit ; all wasteful and profligate expenditure of public money, the folly of creating debts, as well as the crime of repudiating them when

created. Conceding to the Federal Government all the powers expressly delegated to it, and shrinking from no sacrifice to maintain them, it yet sternly insists upon those inherent rights reserved to each free and independent State.

These are a few of the great lights given for our guidance. The functions which we exercise are committed to us as a sacred trust. The government which we control as public officers is not our own, it belongs to those who placed us here. The laws which we enact do not express our will, they are the voice of the people. The money which we handle belongs to them, and not to us. We can only take it from them for the legitimate expenses of government. More than this is robbery. Official generosity is official crime. Every needless tax cuts some comfort from a thousand homes. It means less food, less fuel, less cheer to many families.

L. ROBINSON.



